REMARKS

Claims 1-26 are pending and have been rejected. Claims 1-5 and 7-24 have been rejected under 35 U.S.C. § 102(b) in light of Kirmse (U.S. Pub. No. 2002/0086732). Claims 1-5 and 7-24 have been rejected under 35 U.S.C. § 102(e) in light of Hansen (U.S. Pub. No. 20040224769). Claim 6 has been rejected under 35 U.S.C. § 103(a) in light of Kirmse and Garg (U.S. Pub. No. 2004/0032876), and also in light of Hansen and Garg. Claims 25-26 have been rejected under 35 U.S.C. § 103(a) in light of Kirmse and Murray (U.S. Pub. No. 2002/0094870), and also in light of Hansen and Murray.

For the reason below, claims 1-26 are patentable over the prior art relied upon by the Examiner and any combinations thereof.

A. Claims 1-24 Are Patentable Over Kirmse.

Amended claim 1 recites, in part, "a client program running on a terminal that automatically detects when selected individuals are playing one or more multiplayer games on the computer network, and notifies a user of the games and the selected individuals playing the games; wherein the client program is further adapted to search for and detect one or more of the games on the terminal." But Kirmse does not disclose or suggest such a client program and the Examiner has not shown otherwise.

Kirmse discloses a system where a game client 20 sends an O/S message 38 to a messenger client 22. (Figs. 1-2; para. 0038.) The messenger client, in turn, sends information to a messenger server 18, which forwards the information to all of the online users on the buddy list of the user running the game client. (Fig. 1; para. 0044.) But neither the game client nor the messenger client in Kirmse is a client program of the type recited in claim 1.

The game client is not a client program of claim 1 because it does not notify a user of games being played on the computer network or the individuals playing those games. Instead, the messenger client shows which games selected users are playing. (*See, e.g.*, Fig. 9; para. 0053.)

But the messenger client is not a client program of claim 1 because it does not "search for and detect one or more of the games on the terminal." On a particular user computer 12, rather than search for which games are running on the user computer, the messenger client simply receives an O/S messages from a game client. (Para. 0038.) If a game client does not include

the custom functionality to send an O/S message to the messenger client, the messenger client will not be aware of that game client. (*Id.* (explaining that multiplayer games that have already been written must be "retrofitted by the maker of the game" to output the O/S message).) In other words, the messenger client does not search for what games are on a terminal, it merely receive O/S messages from games that have been specifically adapted to send it such messages.

Because Kirmse does not disclose a client program of the type recited in claim 1, claims 1-11 are patentable over Kirmse. Because amended independent claims 12 and 18 recite similar claim elements, claims 12-24 are also patentable over Kirmse.

B. Claims 1-24 Are Patentable Over Hansen.

Amended claim 1 recites, in part, "a client program running on a terminal that automatically detects when selected individuals are playing certain multiplayer games on the computer network, and notifies a user of the games and the selected individuals playing the games; wherein the client program is further adapted to search for and detect one of more of the games on the terminal." But Hansen does not disclose or suggest such a client program and the Examiner has not shown otherwise.

Hansen discloses a system where an alert generator 322 creates an alert message in response to detecting a user logging in to a gaming service. (Para. 0060.) The alert message is eventually routed to a second user. (*Id.*; Fig. 6.) But these events—detecting that a user has logged into a gaming service, generating the alert, routing the alert to a second user—do not take place "on a terminal," which is where the client program of claim 1 runs. Instead, the events take place in either a gaming environment, such as a gaming environment provided by Microsoft Corporation's XBOX LIVE gaming service, or as part of the .NET ALERTS environment. (Fig 6; para. 52.) Neither of these environments is a terminal, which, in Hansen, would be analogous to the game console. (*See* Fig. 6, block 330.)

This distinction is material because, for example, it would be difficult, if not impossible, for the game servers 334 in Hansen to search for games on a terminal. In the present invention, by contrast, the client program runs on the terminal, and the client program can therefore search for and detect which games are on the terminal.

Because Hansen does not disclose a client program of the type recited in claim 1, claims 1-11 are patentable over Hansen. Because amended independent claims 12 and 18 recite similar claim elements, claims 12-24 are also patentable over Hansen.

C. Claims 25 And 26 Are Patentable Over The Combination Of Kirmse And Murray.

Claims 25 and 26 recite, in part, "second individuals stored on a list associated with one or more of the first individuals," where the first individuals are also "stored on a list." The Examiner cites to Figures 8-10 and paragraphs 0003 and 0053 of Kirmse as allegedly disclosing these claim elements. But neither these citations nor the rest of Kirmse disclose or suggests these claim elements.

Specifically, paragraph 0003 merely discloses that instant messenger applications typically contain a list of "buddies" or "friends." But this disclose accounts for, at most, a list of first individuals. It does not disclose second individuals stored on a list associated with one or more of the first individuals. Likewise, paragraph 0053 merely discloses a single buddy list, where one of the users is identified as playing the game DumbChat. Figures 8-10 merely show how a single buddy list appears in a Yahoo Messenger window; they do not disclose a list of second individuals associated with one or more of the first individuals.

The Examiner suggests that a list of "friends of friends" would read upon the "second individuals stored on a list associated with one or more of the first individuals" element because she emphasizes that Murray discloses a list of friends of friends. (Office Action of July 20, 2007 at 10, 11.) But the Examiner also suggests that Kirmse does *not* disclose a list of friends of friends because she says "[i]t would have been obvious to ... include friends of friends in Kirmse's displayed friend list." (*Id.* at 10.) Indeed, Kirmse does not disclose a list of friends of friends. The phrase "friends of friends" is entirely absent from Kirmse.

Because Kirmse does not disclose the claim element "second individuals stored on a list associated with one or more of the first individuals," claims 25 and 26 are patentable over Kirmse, Murray, and any combination thereof.

Even assuming that Kirmse discloses or suggests "second individuals stored on a list associated with one or more of the first individuals" (which it does not), the combination of Kirmse and Murray do not disclose each and every limitation of claims 25 and 26.

Claims 25 and 26 also recite, in part, "notifying the user that the first and second individuals are present on the computer network." The Examiner admits that Kirmse does not disclose this step. (Office Action of July 20, 2007 at 9.) In an attempt to remedy this deficiency, the Examiner relies on Murray, but Murray neither discloses nor suggests this claim element.

Murray discloses a game that may be played by a team, where the team may include friends of the team captain, and friends of friends of the team captain. (*See*, *e.g.*, Fig. 14; para. 0093.) But nothing in Murray discloses notifying a user that these friends and friends of friends are present on a computer network. The list shown in Figure 14 is simply lists members of a team even if they are not connected to a computer network at the time the list is displayed. (*See* para. 0082.) In other words, the list remains unchanged as the people displayed on the list connect or disconnect from a computer network. Accordingly, Figure 14 does not disclose or suggest the claim element "notifying the user that the first and second individuals are present on the computer network." Nor does the rest of Murray.

For these reasons, claims 25-26 are patentable over Kirmse, Murray, and any combination thereof.

D. Claims 25 And 26 Are Patentable Over The Combination Of Hansen And Murray

Again, claims 25 and 26 recite, in part, "notifying the user that the first and second individuals are present on the computer network." The Examiner admits that Hansen does not disclose this step. (Office Action of July 20, 2007 at 11.) In an attempt to remedy this deficiency, the Examiner again relies on Murray, but Murray neither discloses nor suggests this claim element, as discussed above. For this reason alone, claims 25-26 are patentable over Hansen, Murray, and any combination thereof.

CONCLUSION

For all of these reasons, Applicant respectfully assert that claims 1-26 are in condition for allowance. The Examiner's early reconsideration is respectfully requested. If the Examiner has any questions, the Examiner is invited to contact Applicant's attorney at the following address or telephone number below.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

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